

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROGER THORSON

PLAINTIFF

VS.

NO. 4:08cv129-WAP-DAS

CHRISTOPHER EPPS, ET AL.,

DEFENDANTS

ORDER

BEFORE THE COURT is the plaintiff's motion request for site inspection (# 40). The plaintiff essentially seeks permission to enter, inspect, and photograph specified areas of the Mississippi Department of Corrections, including the execution chamber. The plaintiff cites Rule 34 of the Federal Rules of Civil Procedure as authority for the motion. However, because the plaintiff has made no allegation that the requested discovery is being withheld or otherwise objected to and because L. U. Civ. R. 5(d)(3) specifically provides that requests for inspection under Rule 34 should not be filed with the court, the motion is hereby terminated.

SO ORDERED this 1st day of October, 2010.

/s/ David A. Sanders
U. S. MAGISTRATE JUDGE